

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION**

**ALOFT MEDIA, LLC,**

**Plaintiff**

**v.**

**PALM, INC., et al.,**

**Defendants.**

§  
§  
§  
§  
§  
§  
§  
§  
§  
§

**CIVIL ACTION NO. 2:08-CV-292-DF**

**JURY TRIAL DEMANDED**

**ORDER OF DISMISSAL**

The Court grants the joint motion to dismiss filed by Aloft Media LLC (“Aloft Media”) and Palm Inc. (“Palm”). All claims asserted by Aloft Media against Palm in the instant action are hereby dismissed with prejudice in accordance with the terms of the Agreement. All counterclaims for declaratory relief asserted by Palm against Aloft Media in the instant action are hereby dismissed in accordance with the terms of the Agreement. Palm shall retain its ability to assert all defenses and/or claims in the event of any further litigation. Each party is to bear its own costs and attorney fees.

**SIGNED this 1st day of June, 2009.**



DAVID FOLSOM  
UNITED STATES DISTRICT JUDGE